



UNITED STATES PATENT AND TRADEMARK OFFICE

W
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|------------------------|----------------------|
| 09/619,219 | 07/19/2000 | Steven R. Bard | INTL-0417-US (P9042) | 1192 |
| 7590 | 01/10/2006 | | EXAMINER [REDACTED] | BARBEE, MANUEL L |
| Timothy N Trop Trop Pruner & Hu PC 8554 Katy Freeway Suite 100 Houston, TX 77024 | | | ART UNIT [REDACTED] | PAPER NUMBER 2857 |

DATE MAILED: 01/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/619,219 | BARD, STEVEN R. | |
| | Examiner | Art Unit | |
| | Manuel L. Barbee | 2857 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-3,6-13 and 15-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-3,6-13 and 15-25 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-3 and 6-10 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 1, as amended, contains limitations for determining in the sink whether to receive power from the power source using a power class identifier. The specification describes a sink that may determine whether to charge its internal battery based on power available from a source (page 3, lines 11-16). The specification also describes a source that reports its power class and that receives power class requests from a sink and determines whether to supply power to the sink (page 6, line 23 - page 7, line 23). However, there is no disclosure for using a power class identifier to determine in the sink whether to receive power from a power source.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 11-13 and 15-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Oprescu et al. (US Patent No. 5,842,027).

With regard to detecting a power sink coupled to a system as shown in claim 11, Oprescu et al teach determining what components are connected to a bus with a power manager at initialization (col. 5, lines 25-42; col. 7, lines 17-54; Figure 1, power manager 50, power line 30, bus 12). With regard to receiving a power class identifier in the system and using the power class identifier to determine whether to receive power from a power source, as shown in claims 11 and 15, Oprescu et al. teach sending the power requirements of all components attached to the bus to the power manager and determining whether there is enough power to power additional devices (col. 6, lines 27-41; col. 7, line 11 - col. 8, line 65).

With regard to coupling a plurality of power sinks to the power source, as shown in claim 12, Oprescu et al. teach coupling more than one power sink to the bus (col. 5, lines 1-15). With regard to receiving a self-identifier packet from the sink, as shown in claim 13, Oprescu et al. teach sending identifying information from all components connected to the bus to the power manager at initialization and sending identifying information and state information when power is requested (col. 7, lines 18-33; Figure 2, step 100).

With regard to determining the available power of the source, as shown in claim 16, Oprescu et al. teach finding the sum of power being used and determining the surplus power (col. 8, lines 1-19; Figure 2, step 104). With regard to determining whether to supply power, as shown in claim 7, Oprescu et al. teach comparing the

surplus power with the power requirements of an additional component to determine whether to supply power to the component (col. 8, lines 20-65). With regard to supplying power for enumeration to the sink whether the source is able supply power to the sink or not, as shown in claims 18 and 19, Oprescu teaches initializing all components in a local database at startup (col. 7, lines 34-54). With regard to sending an identifier to the source to determine whether the source can supply power to the sink, as shown in claim 20, Oprescu teaches sending identifying information and using the information to look up power requirements of components on the bus (col. 7, lines 18-33, 55-67).

With regard to a connection to a power source and a processor-based device to analyze power class information received from a power source and determine whether to receive power, as shown in claims 21 and 24, Oprescu et al. teach a power manager connected to a power source and power sinks that receives information about the power source and determines whether to power sinks (col. 7, lines 11-17; col. 8, lines 25-42; Figure 1, power manager 50; bus 12, power line 30; col. 5, lines 1-52). With regard to a fan out physical layer, as shown in claim 22, Oprescu et al. teach a fan out physical layer; col. 9, lines 34-55; Figure 3). With regard to an AC adapter, as shown in claim 23, Oprescu et al. teach an AC adapter (col. 4, lines 57-67; Figure 1, AC adapter 34). With regard to providing power for enumeration and then determining whether to provide further power, as shown in claim 25, Oprescu et al. teach identifying all components and adding them to a local database before determining whether to provide power in response to power requests (col. 6, line 27 - col. 7, line 67).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3 and 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oprescu et al. in view of Saito (US Patent No. 4,984,185).

With regard to detecting a power sink coupled to a power source, as shown in claim 1, Oprescu et al teach determining what components are connected to a bus with a power manager at initialization (col. 5, lines 25-42; col. 7, lines 17-54; Figure 1, power manager 50, power line 30, bus 12). With regard to receiving a power class identifier and using the power class identifier to determine whether to receive power from a power source, as shown in claim 1, Oprescu et al. teach sending the power requirements of all components attached to the bus to the power manager and determining whether there is enough power to power additional devices (col. 6, lines 27-41; col. 7, line 11 - col. 8, line 65).

Oprescu et al. do not teach performing the determination in the sink, as shown in claim 1. Saito teach a portable computer having a battery voltage detecting circuit that determines whether to power loads in the computer based on whether there is sufficient power in the battery (col. 3, line 39 - col. 4, line 26). The computer is a sink and the battery detecting circuits are part of the computer. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the power

management system, as taught by Oprescu et al., to include detecting sufficient power in a computer connected to a power source, as taught by Saito, because then operation errors caused by insufficient power would have been avoided (Saito, col. 1, lines 17-45).

With regard to coupling a plurality of power sinks to the power source, as shown in claim 2, Oprescu et al. teach coupling more than one power sink to the bus (col. 5, lines 1-15). With regard to receiving a self-identifier packet in the sink, as shown in claim 3, Oprescu et al. teach providing identifying information for all components connected to the bus to the power manager at initialization and sending identifying information and state information when power is requested (col. 7, lines 18-33; Figure 2, step 100).

With regard to determining the available power of the source, as shown in claim 6, Oprescu et al. teach finding the sum of power being used and determining the surplus power (col. 8, lines 1-19; Figure 2, step 104). With regard to determining whether to supply power, as shown in claim 7, Oprescu et al. teach comparing the surplus power with the power requirements of an additional component to determine whether to supply power to the component (col. 8, lines 20-65). With regard to supplying power for enumeration to the sink whether the source is able supply power to the sink or not, as shown in claims 8 and 9, Oprescu teaches initializing all components in a local database at startup (col. 7, lines 34-54). With regard to sending an identifier to the source to determine whether the source can supply power to the sink, as shown in claim 10, Oprescu et al. teach sending identifying information and using this to look up power requirements of components on the bus (col. 7, lines 18-33, 55-67).

Response to Arguments

7. Applicant's arguments filed 16 August 2004 have been fully considered but they are not persuasive.

Applicant has amended claim 1 to include limitations for "using said power class identifier in said power sink to determine in said sink whether to receive power from said power source." Applicant further states that language to the same effect is found in claims 11 and 21. However, claim 11 contains limitations for using the identifier "in said system" which is not the same as in the sink. Claim 21 contains limitations for a "processor-based device to analyze power class information", which is not the same as a sink being used to make a determination.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2857

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manuel L. Barbee whose telephone number is 571-272-2212. The examiner can normally be reached on Monday-Friday from 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on 571-272-2216. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications and (571) 273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-0976.

mlb
December 27, 2005


MARC S. HOFF
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800